

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

In Re: Mountain State College, Inc.

Bk.No.: 24-60041

Debtor

**APPLICATION BY ATTORNEY FOR
TRUSTEE FOR COMPENSATION**

The Chapter 7 Trustee makes this statement in support of his application for attorney fees as counsel for Trustee. The Debtor, Mountain State College, Inc. filed a voluntary Chapter 7 bankruptcy petition on the 23rd day of May, 2024, with the Chapter 7 Trustee being appointed on May 23, 2024. Your applicant was appointed as counsel for Trustee pursuant to an Order entered by the Court herein on August 1, 2024, with services beginning on August 1, 2024. The services contemplated and included in this application were performed for the Trustee to maximize any return to creditors. Counsel for Trustee seeks compensation at the rate of \$400.00 per hour. This is a final application for fees and there have been no interim applications. The time periods for services contemplated by this application are from August 1, 2024 through December 31, 2024.

The assets of the estate of the Debtor administered by said Trustee have a value of approximately \$23,558.09 and his disbursements in such operation were approximately \$2,327.66, leaving a balance of cash on hand of approximately \$21,230.43. Total costs and expenses of the Trustee total \$3,337.73. All funds on hand are available for distribution to creditors filing claims and secured creditors whose liens attached to the funds. The Trustee's Final Report is expected to be filed with the Office of the Assistant U.S. Trustee by January 13, 2025. Barring any objection to this application and the Final Report, the case should be completed by March 24, 2025 and funds distributed by April 7, 2025. All services included therein were provided by counsel and his office staff.

Attached hereto as "Exhibit A" is a detailed accounting of services rendered in connection with this representation.

Attached as "Exhibit B" are project categories and abbreviations utilized in describing services rendered in Exhibit A.

Attached as "Exhibit C" is a Summary Sheet that synopsizes compensation and expenses

requested, prior compensation and expenses awarded, if applicable, the billing rate for each person billed time, total hours billed, total amounts of billing for person who billed time and a blended hourly rate.

WHEREFORE, your applicant prays that an allowance is made to him in the sum of \$3,164.00 which represents \$3,164.00 as compensation and \$0.00 in expenses, for professional services rendered in this proceeding.

Dated: January 9, 2025

Submitted by:

/s/ Thomas H. Fluharty
Thomas H. Fluharty, Trustee
408 Lee Avenue
Clarksburg, WV 26301
(304) 624-7832
WV Bar No.: 1231

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Attorney Timesheet Report

Trustee: Thomas H. Fluharty (680231)

Period: 05/28/24 - 12/27/24

Case Number: 24-60041

Case Name: MOUNTAIN STATE COLLEGE, INC.

Case Type: Asset

Judge: B. MCKAY MIGNAULT

Category	Name	Date	Description	Hours/Unit	Rate	Total
Telephone Conference	Thomas Fluharty, Attorney, Other	08/12/24	Lira re: Chase Bank lien	0.08	\$400.00	\$32.00
	Thomas Fluharty, Attorney, Other	06/26/24	Judy Sutton & revise motions.	0.50	\$400.00	\$200.00
Subtotal for Category: Telephone Conference					0.58	\$232.00

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Attorney Timesheet Report
Trustee: Thomas H. Fluharty (680231)

Period: 05/28/24 - 12/27/24

Category	Name	Date	Description	Hours/Unit	Rate	Total
Fee/Employment Objections	Thomas Fluharty, Attorney, Other	09/02/24	revised order of objection sell & employ	0.25	\$400.00	\$100.00
	Thomas Fluharty, Attorney, Other	08/29/24	drafted order resolving objection JRP & selling R/E	0.75	\$400.00	\$300.00
Subtotal for Category: Fee/Employment Objections				1.00		\$400.00

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Attorney Timesheet Report
Trustee: Thomas H. Fluharty (680231)

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Period: 05/28/24 - 12/27/24

Category	Name	Date	Description	Hours/Unit	Rate	Total
Case Administration	Thomas Fluharty, Attorney, Other	09/03/24	email creditor's atty & work on order	0.25	\$400.00	\$100.00
	Thomas Fluharty, Attorney, Other	08/30/24	work on proposed order re: sale of R/E, etc	1.00	\$400.00	\$400.00
Subtotal for Category: Case Administration					1.25	\$500.00

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Attorney Timesheet Report
Trustee: Thomas H. Fluharty (680231)

Period: 05/28/24 - 12/27/24

Category	Name	Date	Description	Hours/Unit	Rate	Total
Attention to File	Thomas Fluharty, Attorney, Other	08/13/24	attn to order approving auction (M. Voshel), set date w/auctioneer for Sept 28 @ 10:00 in Parkersburg, sell personal property	0.50	\$400.00	\$200.00
Subtotal for Category: Attention to File					0.50	\$200.00

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Attorney Timesheet Report
Trustee: Thomas H. Fluharty (680231)

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Period: 05/28/24 - 12/27/24

Category	Name	Date	Description	Hours/Unit	Rate	Total
Fee/Employment Applications	Thomas Fluharty, Attorney, Other	12/27/24	draft appl to pay accountant fees	1.00	\$400.00	\$400.00
	Thomas Fluharty, Attorney, Other	08/15/24	revised app JRP & motion conduct auction of R/E // filed & mailed	1.00	\$400.00	\$400.00
	Thomas Fluharty, Attorney, Other	08/12/24	attn to ap to employ auctioneer (Joe R Pyle)	0.08	\$400.00	\$32.00
	Thomas Fluharty, Attorney, Other	08/09/24	drafted app to employ Joe R Pyle	1.00	\$400.00	\$400.00
	Thomas Fluharty, Attorney, Other	06/25/24	work on apps to hire realtor TC - Cam Matheny & revise app to hire auctioneer	0.75	\$400.00	\$300.00
	Thomas Fluharty, Attorney, Other	06/05/24	revised & filed app employ attorney	0.25	\$400.00	\$100.00
Subtotal for Category: Fee/Employment Applications				4.08		\$1,632.00

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Attorney Timesheet Report
Trustee: Thomas H. Fluharty (680231)

Period: 05/28/24 - 12/27/24

Category	Name	Date	Description	Hours/Unit	Rate	Total
Research	Thomas Fluharty, Attorney, Other	10/21/24	on line Wood County, look up deed for parking lot, description	0.50	\$400.00	\$200.00
Subtotal for Category: Research				0.50		\$200.00
					Total for case:	7.91
					Grand Total:	\$3,164.00

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EXHIBIT - B

<u>Abbr.</u>	<u>Project categories</u>
AAR	Asset Analysis and Recovery: Identification and review of potential assets including causes of action and nonlitigation recoveries.
AD	Asset Deposition: Sales, leads, (S365 matters), abandonment and related transaction work.
OP	Business Operations: Issues related to debtor-in possession operating in Chapter 11 such as employee, vendor, tenant issues and other similar problems.
CA	Case Administration: Coordination and compliance activities, including preparation of a statement of financial affairs; schedules, list of contracts; United States Trustee's interim statements and operating reports; contacts with the United States Trustee; general creditor inquiries.
CL	Claims Administration and Objections: Specific claim inquiries; bar date motions; analysis, objections and allowances of claims.
EE	Employee Benefits/Pensions: Review issues such as severance, retention, 401K coverage and continuance of pension plans.
FA	Fee/Employment Applications: Preparations of employment and fee application for self or others; motions to establish interim procedures.
FEO	Fee/Employment Objections: Review of and objections to the employment and fee application of others.
F	Financing: Matters under ss 361, 363 and 364 including cash collateral and secured claims; loan document analysis.
L	Litigation: There should be a separate category established for each matter. (E.g., XYZ Stay Litigation).

- 341 Meetings of Creditors: Preparing for and attending the conference of creditors, the 341 (a) meeting and other creditors' committee meetings.
- PIN Plan and Disclosure Statement: Formulation, presentation and confirmation; compliance with the plan confirmation order, related orders and rules; disbursement and case closing activities, except those related to the allowance and objections to allowance of claims.
- 362 Relief From Stay Proceedings: Matters relating to termination or continuation of automatic stay under S 362.

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EXHIBIT - C

FEE APPLICATION

CURRENT APPLICATION	
Fees Requested	\$3,164.00
Expenses requested	\$ 0.00

Names of Professionals/Hours Billed Rated Total for Application

Thomas H. Fluharty, Attorney	\$400.00/hr.	\$3,164.00
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TOTAL BLENDED HOURLY RATE: \$400.00 per hour

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **APPLICATION BY TRUSTEE FOR COMPENSATION** was served upon the following individuals, at the addresses listed below, by placing a true and correct copy thereof in the United States mail, postage prepaid, this _____ day of _____, 2025.

George Y. Chandler, Esquire
gyc@suddenlinkmail.com
Counsel for Debtor

Served electronically on:

Office of the Assistant U.S. Trustee
ustpregion04.ct.ecf@usdoj.gov

/s/ Thomas H. Fluharty
Thomas H. Fluharty, Trustee

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NOTICE

To All Creditors and other Interested Parties:

Notice is hereby given that Thomas H. Fluharty, as Attorney for the Trustee in the above styled matter has applied to the Court for an allowance of compensation for professional services rendered and for reimbursement for actual and necessary costs and expenses incurred by him in the administration of the above styled estates in the amount of \$3,164.00, which said sum would be allocated and disbursed to Thomas H. Fluharty, as Attorney for the Trustee.

You are further advised and notified that unless an objection be made within twenty three (23) days of issuance of this notice, an Order shall be entered by the Court authorizing said compensation.

For further information you may contact the Trustee, Thomas H. Fluharty, at 408 Lee Avenue, Clarksburg, West Virginia, 26301, telephone number (304) 624-7832. A copy of the Trustee's application is on file in the office of said Clerk and may be inspected during normal business hours.

Dated: _____

/s/ Thomas H. Fluharty
Thomas H. Fluharty, Trustee
WV Bar No.: 1231
408 Lee Avenue
Clarksburg, WV 26301
(304) 624-7832
Email: thfaal@aol.com

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ORDER

Upon consideration of the Application of Thomas H. Fluharty, Attorney for the Trustee, for allowance of compensation for professional services rendered and for reimbursement for actual and necessary costs and expenses incurred by him in the administration of the above estate in the amount of \$3,164.00 and it appearing to the Court that notices having been sent and no adverse interest appearing, it is **ORDERED** that Thomas H. Fluharty, Attorney for the Trustee, be and is hereby allowed compensation for professional services rendered and for reimbursement for actual and necessary costs and expenses incurred by him in the administration of the above estate in the amount of \$3,164.00.

Submitted by:

/s/ Thomas H. Fluharty
Thomas H. Fluharty, Trustee
WV Bar No.: 1231
408 Lee Avenue
Clarksburg, WV 26301
(304) 624-7832